IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

RP.No. 935 of 2006()

AGAINST THE ORDER IN CRP.702/2005 Dated 26/05/2006

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REVIEW PETITIONERS/REV. PETITIONERS/RESPONDENTS 1,2,3 & 5/ IN A.A./ RESPONDENTS 1,2,3 & 5 IN S.M.

1. KUNJAMMA (CHACHIAMMA), VALIAPARAMBIL HOUSE, PUTHUPALLY VILLAGE, PUTHUPALLY P.O., KOTTAYAM.

2. MARYKUTTY UTHUP, KUMMAN KULOTH, KIZHAKKEKARA, NJALIAKUZHI, VAKATHANAM P.O., CHANGANACHERRY.

3. ALEYAMMA CHEMPARAMBIL, NADUVILEMURI, KUTTANAD TALUK, ALAPPUZHA.

4. ANNAMMA, KINARUVILAYIL HOUSE, VETTIPARAM, MUNDUKOTTAKAL P.O., KOZHANCHERRY, PATHANAMTHITTA.

BY ADV. SRI.P.MANOJ
SRI.C.MURALIKRISHNAN (PAYYANUR)
SRI.ABRAHAM GEORGE JACOB

RESPONDENTS/RESPONDENTS/RESPONDENTS/APPELLANT/ RESPONDENTS 4,6,7, 8 & GOVT./PETITIONER & RESPONDENTS 4,6,7,8:

1. ANTONY VARGHESE, NADUVILEPARAMBIL, VAKATHANAM P.O., CHANGANACHERRY, KOTTAYAM.

2. SARAMMA ANTONY, VALIAPARAMBIL, PUTHUPALLY P.O., KOTTAYAM.

3. MANJU ANTONY, NADUVILEPARAMBIL (H),
NADUVILEPARAMBIL, VAKATHANAM P.O.,
CHANGANACHERRY, KOTTAYAM.

4. MAJEESH ANTONY, NADUVILEPARAMBIL (H),
DO. DO.

5. MANOJ ANTONY, NADUVILEPARAMBIL (H),
DO. DO.

6. GOVERNMENT OF KERALA REPRESENTED
BY THE CHIEF SECRETARY TO THE GOVERNMENT
OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.DIVAKARAN NAIR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.R. RAMAN, J.

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R.P. NO. 935/2006 IN C.R.P. NO. 702/2005

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DATED THIS, THE 29TH DAY OF NOVEMBER, 2006.

O R D E R

This is a petition seeking review of the order in C.R.P. 702/2005 rendered on 26th May, 2006. The point canvassed in the review is that as a matter of fact, the respondent herein had moved an application which was numbered as a suo motu proceeding. At any rate, the fact remains that when it is numbered as a suo motu proceeding, the provision under which the proceeding has to be conducted is under Section 72 C. No mistake has crept in in the order in this regard. As a matter of fact, the order of the appellate authority in the appeal filed by the respondents herein was set aside by this Court and only directed the Land Tribunal to consider other aspects of the matter and pass final orders in S.M. 130/2000. As such the order will not preclude the parties from adducing any form of evidence and also in relying on admissions, if any, made by the parties, which is a matter for consideration by the Land Tribunal.

With the above clarification, the review is closed.

P.R. RAMAN,
(JUDGE)

knc/-